



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2621

DATE SCANNED 6/28/13

SCANNER NO. 2

SCAN OPERATOR ESS

13092690202



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 JAN 18 PM 4:17

January 18, 2013

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director *PCO*

FROM: Patricia C. Orrock
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Jodi Winship/Sari Pickera *JP*
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2012 12 Day Pre-General Report
(Authorized Committees) For The Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2012 12 Day Pre-General Report in accordance with 2 U.S.C. 434(a). The 12 Day Pre-General Report was due on October 25, 2012. The list is comprised of authorized committees whose candidates sought election in the General Election held on November 6, 2012.

The committees listed on the attached RTB Circulation Report either filed the election sensitive report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the General Election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2012 PRE-GENERAL Election Sensitive 10/25/2012 AUTHORIZED

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Recalpt Date	Days Late	LOA	RTB Penalty
2621	C00413096	KANSANS FOR HUELSKAMP	HUELSKAMP, TIMOTHY A REPRESENTA	RON SCHNEWEIS	\$1,152,142	0	11/1/2012	7	\$74,329	\$1,072
2622	C00514489	KENNETH SANDERS FOR CONGRESS CAMPAIGN	SANDERS, KENNETH	ESQUE SANDERS, JR.	\$248,893	1	11/1/2012	7	\$9,515	\$225
2623	C00515866	MACGOVERN FOR US SENATE	MACGOVERN, JOHN	JOHN REZZONICO	\$182,593	0	10/31/2012	6	\$31,467	\$480
2624	C00492371	RANDALL TERRY FOR PRESIDENT CAMPAIGN COMMITTEE	TERRY, RANDALL A	MARIO G. PAVEGLIO	\$797,114	0	11/18/2012	Not Filed	\$115,148	\$5,500
2625	C00511220	ROSEANNE FOR PRESIDENT 2012	BARR, ROSEANNE	JOAN CHRISTIAN	\$108,811	0		Not Filed	\$36,604 (est)	\$1,400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2012)
12 Day Pre-General Report (Authorized)
Committees) For The Administrative Fine)
Program:)

KANSANS FOR HUELSKAMP, and) AF# 2621
SCHNEWEIS, RON as treasurer;)
KENNETH SANDERS FOR CONGRESS) AF# 2622
CAMPAIGN, and ESQUE SANDERS JR)
as treasurer;)
MACGOVERN FOR US SENATE, and) AF# 2623
JOHN REZZONICO as treasurer;)
RANDALL TERRY FOR PRESIDENT) AF# 2624
CAMPAIGN COMMITTEE, and)
PAVEGLIO, MARIO G. as treasurer;)
ROSEANNE FOR PRESIDENT 2012, and) AF# 2625
JOAN CHRISTIAN as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on January 23, 2013 the Commission took the following actions on the Reason To Believe Recommendation - 2012 12 Day Pre-General Report (Authorized Committees) For The Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated January 18, 2013, on the following committees:

AF#2621 Decided by a vote of 6-0 to: (1) find reason to believe that KANSANS FOR HUELSKAMP, and SCHNEWEIS, RON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2622 Decided by a vote of 6-0 to: (1) find reason to believe that KENNETH SANDERS FOR CONGRESS CAMPAIGN, and ESQUE SANDERS JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2623 Decided by a vote of 6-0 to: (1) find reason to believe that MACGOVERN FOR US SENATE, and JOHN REZZONICO as treasurer violated 2 U.S.C. 434(a) and

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make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2624 Decided by a vote of 6-0 to: (1) find reason to believe that RANDALL TERRY FOR PRESIDENT CAMPAIGN COMMITTEE, and PAVEGLIO, MARIO G. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2625 Decided by a vote of 6-0 to: (1) find reason to believe that ROSEANNE FOR PRESIDENT 2012, and JOAN CHRISTIAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

January 23, 2013
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 24, 2013

Ron Schneweis, in official capacity as Treasurer
Kansans for Huelskamp
P.O. Box 410
Fowler, KS 67844

C00413096
AF#: 2621

Dear Mr. Schneweis:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-General Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election for which the candidate is seeking election, or nomination for election. This report, covering the period through October 17, 2012, shall be filed no later than October 25, 2012. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on November 1, 2012, seven (7) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On January 23, 2013, the FEC found that there is reason to believe ("RTB") that Kansans for Huelskamp and you, in your official capacity as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before October 25, 2012. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,072. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$1,072 is due within forty (40) days of the finding, or by March 4, 2013, and is based on these factors:

Election Sensitivity of Report: Election Sensitive
Level of Activity: \$74,329
Number of Days Late: 7
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

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committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or March 4, 2013. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Kansans for Huelskamp and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

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3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,072 for the 2012 Pre-General Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by March 4, 2013. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Kansans for Huelskamp

FEC ID#: C00413096

AF#: 2621

PAYMENT DUE DATE: March 4, 2013

PAYMENT AMOUNT DUE: \$1,072

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RECEIVED
2013 MAR -4 AM 11:58
FEC MAIL CENTER

February 28, 2013

Federal Election Commission
Office of Administrative Review
999 E Street, NW
Washington, DC 20463

Committee Number: C00413096
AF#: 2621

To Whom It May Concern:

This letter is to notify the FEC that Kansans for Huelskamp is appealing AF#: 2621 on the grounds that our Committee has demonstrated every good-faith effort to file in a timely manner. Additionally, we were prevented from timely filing by reasonably unforeseen circumstances that were beyond our control.

Our Committee believes AF#: 2621 should be dismissed based on the following reasons:

- 1 Our Committee made a good-faith effort to file the Pre-General Report in a timely manner. Further, the FEC electronic system was utilized by us verifying this good-faith effort.
- 2 Our Committee was not notified in a timely manner and was unaware that the FEC had not processed the Pre-General Report.
- 3 The reason our Committee's Pre-General Report was not processed by the FEC filing server was because our Committee's report was rejected due to a mere typographical error of the end-period reporting due date. The purpose for the FEC Administrative Fine Program is to discourage and/or penalize late filers and non-filers, not to penalize typographical errors.
- 4 Upon receiving notice that the FEC had not processed the Pre-General Report, our Committee filed the required report within 24 hours.

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Our Committee attempted to file electronically the 2012 Pre-General Report on Wednesday, October 24, 2012. Our Committee submitted the report via electronic filing, however, the report could not be processed by the FEC server. Because no notice was received otherwise, our Committee believed the report was filed and processed by the FEC and our Committee's best efforts to file the 2012 Pre-General report had been satisfied.

When our Committee attempted to file the 2012 Pre-General Report on October 24, 2012, our Committee received a response email from {DISCLOSE -- FEC Electronic Filing System Notice}¹ indicating that the filing could not be processed. Our Committee was not aware that our Pre-General filing had not been accepted or processed by the FEC. The {DISCLOSE -- FEC Electronic Filing System Notice} demonstrates our Committee's best efforts to file the Pre-General report in a timely manner verifying our initial attempt.

Our Committee was unaware that our 2012 Pre-General Report, which we attempted to file, had not been processed until our Committee received a RFAI – Notice of Failure to File letter mailed from the FEC dated October 26, 2012².

Our Committee received this letter on Thursday, November 1, 2012. This was the first time that our Committee was aware that the 2012 Pre-General Report we attempted to file on October 24, 2012 had not been processed by the FEC. Upon notification, our Committee filed the 2012 Pre-General Report on November 1, 2012 within 24 hours of receiving this notification. No changes were made to the report except the errant end date.

Thank you for your time and attention to this matter. Our Committee believes that we have demonstrated that AF#: 2621 should be dismissed, and we hope you will see that we made a good-faith effort to meet the reporting requirements.

Please feel free to contact me if I may be of additional assistance.

Sincerely,



Ron Schneweis
Treasurer, Kansans for Huelskamp

¹ FEC Electronic Filing Results Wed, Oct 24, 2012 at 1:59 PM

² RFAI – Notice of Failure to File Letter from the FEC Dated October 26, 2012

Kansans for Huelskamp
C00413096
AF#: 2621

Attachment 1 Declaration: FEC Electronic Filing Results Wed, Oct 24, 2012 at 1:59 PM

Response email from {DISCLOSE -- FEC Electronic Filing System Notice}

This attachment demonstrates our Committee's best efforts to file the Pre-General report in a timely manner verifying our initial attempt.

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FEC Electronic Filing Results

FEC Filing Server <http_db@sdrdc.com>

Wed, Oct 24, 2012 at 1:59 PM

To: joshua.g.bell

DISCLOSE -- FEC Electronic Filing System Notice -- FILING COULD NOT BE PROCESSED!

This is to inform you of the failure of your electronic filing via the DISCLOSE protocol.

Your filing was received at 2012-10-24 14:59:32.000.

Thank you for using DISCLOSE.

Do not reply to this notice. It is sent from an unattended account that cannot receive email.

Your filing could not be processed for the following reasons:

The 12G report from C00413096 filed on 10/24/2012, could not be processed because an incorrect ending coverage date 10/18/2012 was used for this report.

Please file the report with the correct ending coverage date or contact your campaign finance analyst for assistance at (202) 694-1130 or (800)424-9530 extension 1130.

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Kansans for Huelskamp
C00413096
AF#: 2621

Attachment 2 Declaration: RFAI – Notice of Failure to File Letter from the FEC Dated October 26, 2012

Our Committee was unaware that our 2012 Pre-General Report, which we attempted to file, had not been processed until our Committee received Attachment 2.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 26, 2012

RQ-7

SCHNEWEIS, RON, TREASURER
KANSANS FOR HUELSKAMP
PO BOX 410
FOWLER, KS 67844-0410

IDENTIFICATION NUMBER: C00413096

REFERENCE: PRE-GENERAL REPORT 10/1/2012 - 10/17/2012

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements as required by the Federal Election Campaign Act, as amended.

You will be allowed until 5:00 pm est on the fourth (4th) business day from the date of this notice to file this report to avoid publication. If you have already filed the report by express, certified or registered mail or are planning to file it within four (4) business days from the date of this notice, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the state is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

In addition, the failure to timely file this report may result in civil money penalties, an audit or other legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact DAVID GARR in the reports analysis division on our toll free number (800)424-9530. Our local number is (202)694-1130.

Sincerely,

Debbie Chacona

Debbie Chacona
Assistant Staff Director
Reports Analysis Division (RAD)

12092690217



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

March 8, 2013

Ron Schneweis, in official capacity as Treasurer
Kansans for Huelskamp
P.O. Box 410
Fowler, KS 67844

C00413096

AF#: 2621

Dear Mr. Schneweis:

On March 4, 2013, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Acting Reviewing Officer
Office of Administrative Review

13092690218

Date: March 11, 2013

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2621

Committee Name: Kansans for Huelskamp

Committee ID#: C00413096

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

Copy of RTB Circulation Report, dated January 18, 2013 and RTB Certification, dated January 23, 2013 (Y/N): Y

Attachment #: 1

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: 2

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2012 12 Day Pre-General Report Notice, dated October 1, 2012.

-New-Filer Letter, dated October 26, 2012.

-RTB Letter, dated January 24, 2013.

Attachment #: 4

Other RAD Information: (Y/N): N

Attachment#: N/A

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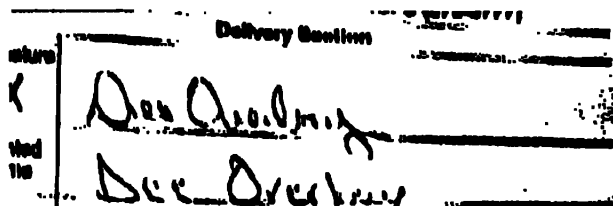


Date: 02/01/2013

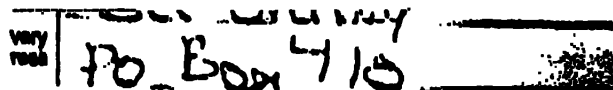
SARI PICKERALL:

The following is in response to your 02/01/2013 request for delivery information on your Express Mail(R) item number EM30 2696 627U S. The delivery record shows that this item was delivered on 01/28/2013 at 10:52 AM in FOWLER, KS 67844 to D OVERBAY. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.


Sincerely,

United States Postal Service

13092690220

DECLARATION OF JODI WINSHIP

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Kansans for Huelskamp:
 - A) Report Notice, dated October 1, 2012, referencing the 2012 12 Day Pre-General Report (sent via electronic mail to: huelskampforcongress@rurallink.net);
 - B) Non-Filer Letter, dated October 26, 2012, referencing the 2012 12 Day Pre-General Report;
 - C) Reason-to-Believe Letter, dated January 24, 2013 referencing the 2012 12 Day Pre-General Report.
3. I hereby certify that I have searched the Commission's public records and find that Kansans for Huelskamp filed the 2012 12 Day Pre-General Report with the Commission on November 1, 2012.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 11th day of March, 2013.



Jodi Winship
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

13092690221



GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

October 1, 2012

CURRENT REPORT DUE FOR 2012 GENERAL ELECTION CANDIDATE COMMITTEES

REPORT	REPORTING PERIOD ¹	REG/CERT & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-General	10/01/12 - 10/17/12	10/22/12	10/25/12
48-Hour Notices	10/18/12 - 11/03/12	-- general candidates only -- see filing info --	
Post-General	10/18/12 - 11/26/12	12/06/12	12/06/12

REPORTING SCHEDULE FOR REMAINDER OF 2012

2012 GENERAL ELECTION CANDIDATES

REPORT	REPORTING PERIOD ¹	REG/CERT & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	11/27/12 - 12/31/12	01/31/13	01/31/13

UNSUCCESSFUL 2012 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2012 ELECTIONS

REPORT	REPORTING PERIOD ¹	REG/CERT & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	10/01/12 - 12/31/12	01/31/13	01/31/13

[Click here for Supplemental Filing Information](#)

¹ A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

2012 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file Quarterly Reports in 2012. ²

Campaigns that raise or spend more than \$5,000 for the 2012 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2012, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 83-86 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail.

See 11 CFR 104.5(e). See also 11 CFR 100.19.

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 82 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a). See also 11 CFR 104.5(a).

² If a candidate has more than one authorized committee, the principal campaign committee files a consolidated report on Form 3Z [PDF]. See 11 CFR 104.3(f).

PRE- AND POST-ELECTION REPORTS

The principal campaign committee of any candidate participating in a 2012 state primary, nominating convention or runoff election -- even if unopposed -- must also file a pre-election report 12 days prior to the primary, nominating convention or runoff. The principal campaign committee of a candidate who participates in the general election must file pre- and post-general election reports. See 11 CFR 104.5(a)(2).

- Web Page: 2012 Congressional Pre-Primary Reporting Dates
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Candidate Guide, pp. 81-82 [PDF]

48 HOUR NOTICES OF CONTRIBUTIONS

The principal campaign committee must file notices if any authorized committees receive any contribution (including in-kind gifts or advances of goods or services; loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running. See 11 CFR 104.5(f).

The notices must reach the appropriate federal filing office within 48 hours of the committee's receipt of the contribution(s). Campaign committees that file electronically **MUST** submit their 48-hour notices electronically. See 11 CFR 104.5(f).

- Web Page: Electronic Filing Page
- Web Page: Link to Paper Forms (for downloading and printing)
- Web Page: Link to Web Form 6 (for online submission)
- Form 6 Fax numbers
 - Senate campaigns (Secretary of the Senate): (202) 224-1851
 - House Campaigns (FEC): (202) 219-0174
- Campaign Guide: Candidate Guide, p. 81 [PDF]

2012 REPORTING SCHEDULE

- Web Page: 2012 Reporting Dates Page
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Candidate Guide, p. 83 [PDF]

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COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7-9 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³ See generally, 11 CFR Part 111 Subpart B. See also 11 CFR 111.43.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 82-83 [PDF]

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,700 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 11 CFR 110.17(f).

- The Record: March 2009 issue [PDF]
- Candidate Guide, Appendix F, pp. 155-161 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 26, 2012

RQ-7

SCHNEWEIS, RON, TREASURER
KANSANS FOR HUELSKAMP
PO BOX 410
FOWLER, KS 67844-0410

IDENTIFICATION NUMBER: C00413096

REFERENCE: PRE-GENERAL REPORT 10/1/2012 - 10/17/2012

Dear Treasurer:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements as required by the Federal Election Campaign Act, as amended.

You will be allowed until 5:00 pm est on the fourth (4th) business day from the date of this notice to file this report to avoid publication. If you have already filed the report by express, certified or registered mail or are planning to file it within four (4) business days from the date of this notice, please notify us immediately of the certified, registered or express tracking number and the date that the report was sent.

The report must be filed with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463 for House candidates, or the Secretary of the Senate, 232 Hart Senate Office Building, Washington, DC 20510 (if sent via overnight delivery service) or Senate Office of Public Records, P.O. Box 77578, Washington, DC 20013-7578 (if sent via USPS) for Senate Candidates. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report must also be filed with the Secretary of State or equivalent State officer unless the state is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

In addition, the failure to timely file this report may result in civil money penalties, an audit or other legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report.

If you have any questions regarding this matter, please contact DAVID GARR in the reports analysis division on our toll free number (800)424-9530. Our local number is (202)694-1130.

Sincerely,

Debbie Chacona

Debbie Chacona
Assistant Staff Director
Reports Analysis Division (RAD)

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1203093722



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 MAR 20 AM 10: 34

SENSITIVE

March 20, 2013

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Acting Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2621 – Kansans for
Huelskamp and Ron Schneweis, in his official capacity as Treasurer
(C00413096)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

13092690227



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 2013

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2621 – Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer
(C00413096)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$1,072 civil money penalty.

Reason-to-Believe Background

On January 23, 2013, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2012 12 Day Pre-General Report and made a preliminary determination that the civil money penalty was \$1,072 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on January 24, 2013 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act requires that 12 day pre-election reports be filed by the treasurer of a principal campaign committee no later than the 12th day before any election in which the candidate is seeking election, or nomination for election. 2 U.S.C. § 434(a)(2)(A)(i) and 11 C.F.R. § 104.5(a)(2)(i). The 12 Day Pre-General Report is an election sensitive report pursuant to 11 C.F.R. § 111.43(d)(1). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on October 25, 2012 to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On March 4, 2013, the Commission received the written response ("challenge") from the Treasurer challenging the RTB finding based on the Committee's "good-faith effort to file in a timely manner." The Treasurer states they "were prevented from timely filing by reasonably unforeseen circumstances that were beyond [their] control."

The respondents further explain that their use of the "FEC electronic system" verifies their attempt to timely file on October 24, 2012. However, the report was not processed by the FEC due to a typographical error in the "end-period reporting due date." The Treasurer references the receipt of a response email from the FEC Electronic Filing System indicating the filing could not be processed. Yet, they were not aware of the processing error and did not receive notification of the error in a timely manner. The respondents first became aware the report was not processed on November 1, 2012, the day they received the Notice of Failure to File letter dated October 26, 2012.

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They corrected the error and filed the report within 24 hours. The respondents believe the case should be dismissed, stating "the purpose [of] the FEC Administrative Fine Program is to discourage and/or penalize late filers and non-filers, not to penalize typographical errors."

Included with the challenge are copies of the filing status email from FEC Electronic Filing System and the Notice of Failure to File Letter.

Analysis

The Manager of the Systems Analysis and Design Branch within the Commission's Information Technology Division ("ITD") confirmed that the Committee attempted to electronically file the 2012 12 Day Pre-General Report on October 24, 2012, the day before the filing deadline. The report was rejected because of an incorrect ending coverage date. Within minutes of receiving the electronic filing, the Electronic Filing Office (EFO) sent an email notification to the address provided by the Committee. The email highlighted that the filing could not be processed and explained the ending coverage date error.

The respondents contend they were unaware that the filing was not accepted by the FEC, and they did not receive notice in a timely manner. They state that they first became aware the report had not been processed when they received the Notice of Failure to File letter on November 1, 2012. However, the respondents clearly acknowledge receipt of the October 24, 2012 email notification in their challenge and also include a copy of it for reference. The notification was timely and provided adequate information to enable the respondents to correct the error and file the report by the October 25 deadline. The 2012 12 Day Pre-General Report was electronically filed on November 1, 2012, 7 days late.

While the Reviewing Officer recognizes the report failed to process due to a typographical error, failure to use filing software properly and negligence are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$1,072 civil money penalty.

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2621 involving Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2621 that Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$1,072 civil money penalty; and
- 3) Send the appropriate letter.

Acting Reviewing Officer: Rhiannon Magruder

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

13092690230

DECLARATION OF RHIANNON MAGRUDER

1. I am the Acting Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Acting Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2012 12 Day Pre-General Report is due October 25, 2012. Reports sent by first class mail are considered filed on the date of receipt. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on October 25, 2012 to be timely filed.
3. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a. Page 1 of the Summary Page for the 2012 12 Day Pre-General Report electronically filed by Kansans for Huelskamp and Ron Schneweis, in his official capacity as treasurer. According to the Commission's records, the report was received on November 1, 2012 and covers the period from October 1 through October 17, 2012.
5. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 20th of March, 2013.



Rhiannon Magruder
Acting Reviewing Officer
Office of Administrative Review
Federal Election Commission

13092690231

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

Kansans for Huelskamp

ADDRESS (number and street) ▼

PO Box 410

Check if different
than previously
reported. (ACC)

Fowler

KS

67844-0410

2. FEC IDENTIFICATION NUMBER ▼

C C00413096

CITY ▲

STATE ▲

ZIP CODE ▲

STATE ▼ DISTRICT

3. IS THIS
REPORT

X

NEW
(N)

OR

AMENDED
(A)

KS

01

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

X

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

11

06

2012

in the
State of

KS

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the
State of

5. Covering Period 10 01 2012 through 10 17 2012

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Ron Schneweis

Signature of Treasurer

Ron Schneweis

[Electronically Filed]

Date

11

01

2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office
Use
Only**FEC FORM 3**
(Revised 02/2003)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

March 20, 2013

Ron Schneweis, in official capacity as Treasurer
Kansans for Huelskamp
P.O. Box 410
Fowler, KS 67844

C00413096
AF#: 2621

Dear Mr. Schneweis:

On January 23, 2013, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Kansans for Huelskamp and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2012 12 Day Pre-General Report. The Commission also made a preliminary determination that the civil money penalty was \$1,072 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Rhiannon Magruder

Rhiannon Magruder
Acting Reviewing Officer
Office of Administrative Review

13092690233



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 APR -3 PM 1:36

April 3, 2013

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orroek *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Acting Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2621 – Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer (C00413096)

On January 23, 2013, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2012 12 Day Pre-General Report and made a preliminary determination that the civil money penalty was \$1,072, based on the schedule of penalties at 11 C.F.R. § 111.43.

On March 4, 2013, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated March 20, 2013 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and based on the activity disclosed on the 2012 12 Day Pre-General Report (\$74,329), assess a \$1,072 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

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OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2621 involving Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2621 that Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$1,072 civil money penalty; and
- 3) Send the appropriate letter.

Acting Reviewing Officer: Rhiannon Magruder

13092690235

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation –) AF 2621
Kansans for Huelskamp and Ron)
Schneweis, in his official capacity as)
Treasurer (C00413096))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 18, 2013, the Commission decided by a vote of 5-0 to take the following actions in AF 2621:

1. Adopt the Reviewing Officer recommendation for AF# 2621 involving Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2621 that Kansans for Huelskamp and Ron Schneweis, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$1,072 civil money penalty.
3. Send the appropriate letter.

Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 18, 2013
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

13092690236



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 26, 2013

VIA OVERNIGHT DELIVERY

Ron Schneweis, in official capacity as Treasurer
Kansans for Huelskamp
P.O. Box 410
Fowler, KS 67844

C00413096
AF#: 2621

Dear Mr. Schneweis:

On January 23, 2013, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Kansans for Huelskamp and Ron Schneweis, in official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2012 12 Day Pre-General Report. By letter dated January 24, 2013, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$1,072 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On March 4, 2013, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Kansans for Huelskamp and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$1,072 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on March 20, 2013.

On April 18, 2013, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Kansans for Huelskamp and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$1,072. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final

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determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services, and 30% on debts over two years old. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA").

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

If You Choose To Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,



Ellen L. Weintraub
Chair

Attachment

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$1,072 for the 2012 12 Day Pre-General Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Kansans for Huelskamp

FEC ID#: C00413096

AF#: 2621

PAYMENT AMOUNT DUE: \$1,072

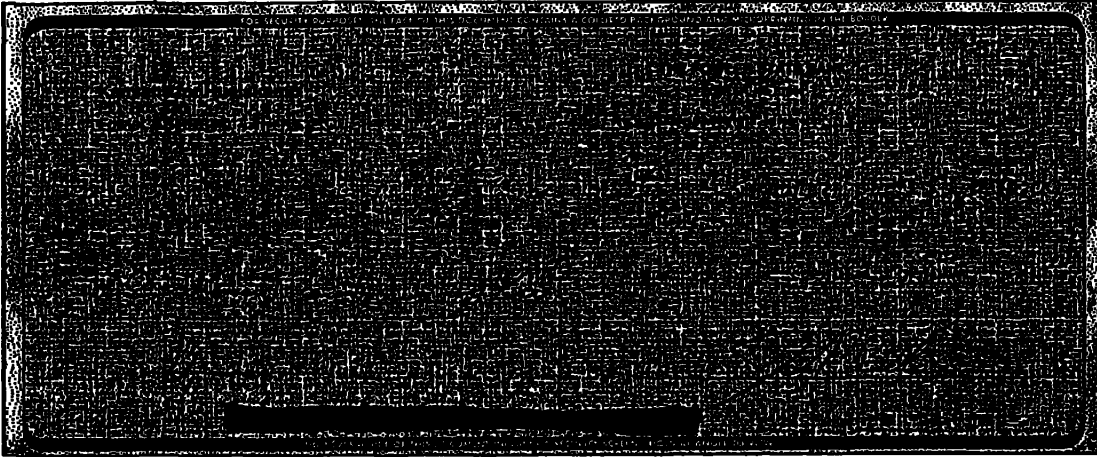
13092690240

usbank.

St. Louis GA Lockbox
(314) 425-1818

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 05/23/2013



Batch	Item	TID	Batch Total	Amount
1	2	Y-4173983	\$1,622.00	\$1,072.00



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2621

DATE SCANNED 6/28/13

SCANNER NO. 2

SCAN OPERATOR SES

13092690241